

Exhibit 3

From: Brent Ceryes <bceryes@sfspace.com>
Sent: Friday, October 11, 2019 6:40 PM
To: McEnroe, Elisa P.
Cc: Paul Vettori
Subject: RE: Russell, et al. v. ECFMG - Outstanding Documents re: Dr. Steinberg
Attachments: AkodaQuestionnaireBlank.pdf; Akoda Summary Statements.pdf

[EXTERNAL EMAIL]

Elisa:

I have enclosed the list of summary statements and the final questionnaire that was completed by the survey respondents. I have also requested that Dr. Steinberg produce a copy of the questionnaire from the Levy/Hopkins matter that she discussed at her deposition, and have reached out to determine whether we can obtain the data from these surveys in a database or spreadsheet format.

The report she wrote in the Levy matter is beyond the scope of discovery. You had an opportunity to question Dr. Steinberg regarding her experience in the Levy matter and the extent to which that experience, and her other experience in similar cases, informed her approach in this case, and you did so. The report she drafted in that separate case does not represent facts or data upon which she is relying or considering in this matter. It is also a report that was submitted confidentially for mediation purposes, and includes personal information and narratives concerning sexual assaults and damages of individuals who are not parties to this matter. That report is not relevant, discovery of that report is not proportionate to the needs of the case, and it represents attorney work product, particularly considering that it was material prepared for counsel in a separate matter.

I will provide the other materials when I receive them.

Thanks, and have a good weekend.

Brent

From: McEnroe, Elisa P.
Sent: Friday, October 11, 2019 4:27 PM
To: Brent Ceryes
Cc: Shaffer, Brian W. ; Klayman, Matthew D. ; Paul Vettori
Subject: Russell, et al. v. ECFMG - Outstanding Documents re: Dr. Steinberg

Brent,

It was apparent at Dr. Steinberg's deposition yesterday that documentation that should be produced has not yet been produced.

First, and most glaringly, it is not clear what survey was actually disseminated to the survey respondents. Please provide an authoritative version of the survey ASAP.

Second, as you agreed, Dr. Steinberg referred repeatedly to a past other survey she had used in another case as the key material considered in crafting her survey here. Please provide that survey and please also provide the resulting report. I believe that Dr. Steinberg testified she has those in her possession if you do not.

Third, please provide the documentation with the "Statements" collected through the survey, in the form that Dr. Steinberg had it.

Fourth, please provide the electronic data coming out of the survey, as we discussed.

It is imperative that we get this information as soon as possible. Rebuttal reports are due on Monday and we are concerned about prejudice, potentially requiring later supplementation.

Thank you.

Elisa P. McEnroe

Morgan, Lewis & Bockius LLP

1701 Market Street | Philadelphia, PA 19103-2921

Direct: +1.215.963.5917 | Main: +1.215.963.5000 | Fax: +1.215.963.5001

elisa.mcenroe@morganlewis.com | www.morganlewis.com

Assistant: Angela P. Garden | +1.215.963.5463 | angela.garden@morganlewis.com

DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.